

ORDINANCE NO. 46-404

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF WICHITA, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-C, AS ADOPTED BY SECTION 28.04.010, AS AMENDED.

BE IT ORDAINED BY THE GOVERNING BODY
OF THE CITY OF WICHITA, KANSAS.

SECTION 1. That having received a recommendation from the Planning Commission, and proper notice having been given and hearing held as provided by law and under authority and subject to the provisions of The Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by Section 28.04.010, as amended, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No. ZON2004-00050

Request for Zone change from "SF-5" Single-family Residential to "NO" Neighborhood Office, on property described as:

A tract in the Southeast Quarter of the Northwest Quarter of Section 31, Township 26, South, Range 1 East of the 6th P.M., Sedgwick County, Kansas lying Northeasterly of K-96 Highway and Southeasterly of the Floodway taken by Condemnation Case A-39338, except that part platted as North Amidon Medical Center Addition and except that part taken for road. Generally located west of Amidon and 34th Street North.

SUBJECT TO PLATTING WITHIN ONE-YEAR AND THE FOLLOWING PROVISIONS OF PROTECTIVE OVERLAY DISTRICT #148:

1. The office use shall be conducted within the premises of the current structure but shall have those improvements such as but not limited to parking and drive aisles and landscaping to comply with the Unified Zoning Code site development regulations. Additionally, the parking lot shall be located and landscaped to screen it from view of the residential zoning east of Amidon.
2. No more than eight individuals (including related family members) shall be allowed to work from the premises at any one time.
3. No direct access shall be allowed onto Womer.
4. The property owner shall grant a cross-lot easement in favor of the property to the south and seek to obtain an easement from the property to the south to serve as the main point of access to the subject property.
5. The property owner shall execute an agreement with the City not to protest paving of Amidon.
6. The property owner shall execute a guarantee for extension of sewer to the property.
7. Light poles, including base and fixtures, shall not exceed 14 feet in height and shall be shielded to prevent spillage to the northeast and east.
8. No signage on Amidon shall be permitted larger than two square feet; provided that it shall not be illuminated and shall be mounted flat against the façade of the building. Ground signage on Womer shall be limited to 10 feet in height.

SECTION 2. That upon the taking effect of this ordinance, the above zoning changes shall be entered and shown on the "Official Zoning Map" previously adopted by reference, and said official zoning map is hereby reincorporated as a part of the Wichita -Sedgwick County Unified Zoning Code as amended.

SECTION 3. That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.

ADOPTED AT WICHITA, KANSAS, November 16, 2004.

Carlos Mayans - Mayor

ATTEST:

Karen Sublett, City Clerk

(SEAL)

Approved as to form:

Gary E. Rebenstorf, City Attorney